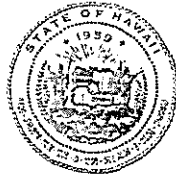


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STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. BOX 3378  
HONOLULU, HAWAII 96801

August 30, 1973

WALTER B. QUISENBERRY, M.P.H., M.D.  
DIRECTOR OF HEALTH

WILBUR S. LUMMIS JR., M.S., M.D.  
DEPUTY DIRECTOR OF HEALTH

RALPH B. BERRY, M.P.H., M.D.  
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DEPUTY DIRECTOR OF HEALTH

In reply, please refer to:  
File: EH-SF

IN A. BURNS  
RNOR OF HAWAII

Mr. Paul DeFalco, Jr.  
Regional Administrator  
U. S. Environmental Protection Agency  
Region IX  
100 California Street  
San Francisco, California 94111

Dear Mr. DeFalco:

Enclosed for your review and comment are copies of the final drafts of amendments to the Hawaii Water Quality Standards and Water Pollution Control Regulations which were developed pursuant to Public Law 92-500.

Chapter 37-A, Water Quality Standards, has been revised in an attempt to comply with the changes to our interstate and intrastate Water Quality Standards required by the Federal Water Pollution Control Act Amendments of 1972 as transmitted to this office by your agency.

We are proposing to amend completely Chapter 37, Water Pollution Control, since amendments to our existing water pollution control regulations are significant. The proposed Chapter 37 has been developed essentially in accordance with the Federal Register entitled, "State Program Elements Necessary for Participation in the National Pollutant Discharge Elimination System (NPDES)" for the purpose of receiving approval of the state program elements necessary for participation in the NPDES.

Public hearings were held in all counties of the State on July 30, 31, August 2 and 3, 1973. A summary of the changes made as a result of the hearings is attached with the latest drafts of Chapter 37 and 37-A for your review. Copies of the testimony which initiated these changes are included for your convenience. Transcripts of these public hearings are on file in our office.

We would appreciate your expeditious review of the proposed regulations.

Very sincerely,

WALTER B. QUISENBERRY, M.D.  
Director of Health

Enclosures  
cc: OEQC  
EPA, Hawaii

Attach 1

## ATTACHMENT

Summary of changes to Chapter 37, Water Pollution Control, and Chapter 37-A, Water Quality Standards as a result of the public hearings of July 30, 31 and, August 2 and 3, 1973.

### Chapter 37

1. Addition of a Table of Contents
- (HSPA) \*2. Section 1, (a) definition of "water pollution" amended to comply with Chapter 342 HRS.
- (HSPA) \*3. Section 1, (d) "state waters" amended to comply with Chapter 342, HRS.
4. Section 1, (x) and (y) addition of definitions of "standard of performance" and "new source" to comply with Chapter 342, HRS.
- (HSPA) \*5. Section 4, (e) (2) was amended to clarify conditions under which a transfer of ownership would be considered and to clarify section 17.
6. Section 30 (a) amended 13th edition of standard methods to "latest edition" of standard methods.

### Chapter 37-A

1. Addition of a Table of Contents
- (UofH) \*2. Section 5.A, inclusion of the word "surface" in the description of "non-tidal brackish and saline surface waters" to prevent application of these surface water quality standards to the ground water.
- (HSPA) \*3. Section 5.A.1., delete the designation of West Loch of Pearl Harbor as Class AA and reclassify it to Class A to more appropriately reflect the natural conditions and use.
- (HSPA) \*4. Section 5.A.2., a change in the extent of the Class AA zone on the south shore of Kauai to make our classification more compatible with present and intended uses of the area.
5. Section 5.A.5, redescribe the area designated as Class A through the use of the term "off-shore" rather than "coastal" to improve clarity of wording.
6. Section 5.A.8., use of the terms "nearshore" and "off-shore" to better describe the Class AA and Class A water respectively rather than the previous designation of "coastal."

- (DOA)  
(HSPA) \*7. Section 5.B.2, redescription of the Class 2 waters to exempt irrigation systems and ditches not resulting from the damming of natural streams.
- (HSPA) \*8. Section 6.A.1, 6.A.3, inclusion of the word "objectionable" in description of material which is prohibited from waters of the state.
- (UofH) \*9. Section 6.B.3, change in the nutrient concentration allowable in Class 1 and 2 to make allowable concentration more compatible with naturally occurring conditions.
- (DOA) \*10. Section 7.(f)3., a change in the requirement for research upon issuance of a zone of mixing to make such research optional at the Director's descretion.
- 11. Section 7(g), a clarification to the description of conditions which must be met prior to renewal of a zone of mixing.
- \* As a result of public hearing comments by the person or agency noted in the margin.